

**IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF PENNSYLVANIA**

**JOSE COLON**  
**Plaintiff,**

**v.**

**JOHN KERESTES, ET AL.,**  
**Defendants.**

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**:**  
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**:**

**CIVIL ACTION**

**NO. 10-1398**

**ORDER**

**AND NOW**, this \_\_\_\_ day of May, 2012, upon careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, after review of the Report and Recommendation of United States Magistrate Judge Faith Angell and Petitioner's objections, **IT IS HEREBY ORDERED and DECREED** that:

1. The Report and Recommendation is **APPROVED and ADOPTED**.
2. The Petition for Writ of Habeas Corpus, filed pursuant to 28 U.S.C. § 2254, is **DENIED and DISMISSED** without an evidentiary hearing.
3. There is no probable cause to issue a certificate of appealability.
4. The Clerk of Court shall mark the case **CLOSED** for statistical purposes.

**BY THE COURT:**

**/S/ Petrese B. Tucker**

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**Hon. Petrese B. Tucker, U.S.D.J.**